IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 19927 of 2007(V)

PETITIONER:

S.K.THILAKAN, AGED 55 YEARS,
S/O KARUNAKARAN, SHAPPUNIKARTHU HOUSE,
KODANTHURUTHU, KUTHIYATHODE P.O., CHERTHALA,
ALAPPUZHA.

BY ADV. SRI.JOSE J.MATHAIKAL

RESPONDENTS:

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1. ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB-DIVISION, KSEB,
PALLANAKAD, CHERTHALA, ALAPPUZHA.

3. YESODHA, W/O LATE PURUSHAN,
RAMASSERIL, KUTHIYATHODE P.O., CHERTHALA,
ALAPPUZHA.

R2 BY SC SRI. P.P. THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 19927 OF 2007

Dated this the 29th day of June, 2007

JUDGMENT

Even though electric connection to petitioner was approved over third respondent's property by the Addl. District Magistrate, this Court vide Ext.P3 judgment modified the order of the Addl. District Magistrate by which the electric post installed in the property of the third respondent was ordered to be shifted to the boundary of third respondent's property and then give free connection through weather proof cable to the petitioner. Petitioner has produced Ext.P1 sketch which shows that third respondent through Ext.P3 judgment got only minor advantage of shifting the post in her property to the boundary of her property. So far as the petitioner is concerned, line approved and the line modified is only weather proof line, which was originally of 10 metres length now reduced to five metres. Therefore KSEB is not justified to demand cost of shifting of post pursuant Ext.P3 judgment from petitioner. W.P. is accordingly disposed of directing the Ele. Board to shift the post in terms of Ext.P3 judgment and give connection to the petitioner within ten days from now at the cost of KSEB.

(C.N.RAMACHANDRAN NAIR)
Judge